

BEFORE THE

DOCKET FILE COPY ORIGINAL

# Federal Communications Commission

WASHINGTON, D.C. 20554

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JAN 11 1996

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In re Applications of )

SHARON A. MAYER and )  
MILFROD BROADCASTING COMPANY )

MM Docket No. 92-317  
File NO. BPH-911004MG  
and BPH-911003MI

For a Construction Permit for a )  
New FM Broadcast Station on )  
Channel 271C2 at Milford, IA )

TO: The Honorable Joseph Chachkin,  
Office of Administrative Law Judges

## PETITION FOR LEAVE TO AMEND

Sharon A. Mayer ("Mayer"), by her attorneys and pursuant to Rule 73.3522, hereby petitions leave to amend her application contingent upon grant by the Commission of the "Joint Request For Approval of Settlement Agreements" filed in the above caption proceeding on December 14, 1995 by Mayer and Milford Broadcasting Company ("Milford").

1. The purpose of the contingent amendment, pursuant to the Settlement Agreement dated December 13, 1995 by and among Mayer, Milford and Campus Radio Company, Inc. ("Campus"), is to substitute New Milfrod Broadcasters, Inc. ("NMBI") as the applicant and to specify a new transmitter site. NMBI is a newly formed corporation owned by Mayer (51%) and Campus (49%).

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2. As set forth in the Declaration of Sharon A. Mayer dated December 13, 1995, previously filed with the Commission, her application was not filed for the purpose of securing a settlement. The settlement agreement in this case was entered into by the

parties in response to the Commission's Public Notice of September 14, 1995, FCC 95-391, "...in recognition of the totally unforeseen circumstances now facing parties..." and which was designed to "...facilitate settlements that will benefit the public interest through increased service."


3. Thus, the amendment is necessitated by events which Mayer could not reasonably have foreseen. Moreover, acceptance of the amendment contingent upon approval of the settlement agreement, dismissal of the Milford application and subsequent grant of the Mayer application, as amended, all pursuant to the agreement, should terminate this comparative proceeding. Therefore, the requirements of Rule 73.3522(b) are met.

Wherefore, the above "good cause" showing and other requirements of Rule 73.3522 having been met, it is respectfully requested that the application of Sharon A. Mayer be amended as specified in the amendment tendered herewith, contingent upon grant of the "Joint Request For Approval Of Settlement Agreements" filed in this proceeding on December 14, 1995.

Respectfully submitted

SHARON A. MAYER

By:

  
John L. Tierney  
Tierney & Swift  
1001 22nd Street, N.W.  
Suite 350  
Washington, D.C. 20037  
Her attorney

JLT:dab  
enclosure

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January 11, 1996

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: Sharon A. Mayer  
Application for a new FM Station,  
Milford, Iowa  
MM Docket NO. 92-317  
File No. BPH-911004MG

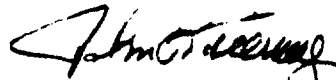
Dear Mr. Caton:

Forwarded herewith, in triplicate, is an amendment to the application of Sharon A. Mayer for a new FM Broadcast Station at Milford, Iowa, File No. BPH-911004MG. This amendment is submitted for acceptance contingent upon grant of the Joint Request For Approval of Settlement Agreements filed in MM Docket No. 92-317 on December 14, 1995.

The amendment is the subject of a Petition For Leave to Amend filed in MM Docket NO. 92-317 today.

Should any questions arise regarding this matter, please communicate with this office.

Very truly yours,



John L. Tierney  
Counsel for  
Sharon A. Mayer

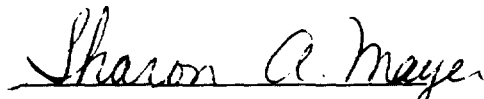
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## **AMENDMENT**

Contingent upon FCC approval of the Joint Request for Approval of Settlement Agreements filed December 14, 1995 by Milford Broadcasting, Inc. (File No. BPH-911003MI) and Sharon A. Mayer (File No. BPH-911004MG), the application of Sharon Mayer is hereby amended to reflect the substitution of New Milford Broadcasters, Inc. ("NMBI") as applicant. NMBI is a newly-formed corporation controlled by Sharon A. Mayer who holds 51% of the corporate stock. The remaining 49% of the stock is held by an investor, Campus Radio Company, Inc. ("Campus"). The other media interests of Campus and its principals are set forth in detail in revised Section II (Legal Qualifications) of FCC Form 301, attached hereto as Exhibit 1. In view of Ms. Mayer's controlling interest as a single majority shareholder, Campus's interest is non-attributable. In addition, no principal of Campus is either an officer or a director of NMBI. Since Campus has no attributable interest in NMBI and no principal of Campus holds a corporate position which would come within the scope of the Commission's cross interest policy, a duopoly showing pursuant to Section 73.3555 is believed to be unnecessary. Should the Commission determine that such a showing would be appropriate, one will be provided.

The application is further amended to specify a new transmitter site as set forth in the amended Section V-B (FM Broadcast Engineering Data) of FCC Form 301, attached as Exhibit 2.

I certify that the information submitted herein is true and correct to the best of my knowledge and belief and is submitted in good faith.



Sharon A. Mayer

Dated: 12-28-95

SHARON A. MAYER  
EXHIBIT NO. 1

**Section II - LEGAL QUALIFICATIONS**

Name of Applicant

New Milford Broadcasters, Inc.

1. Applicant is (check one box below)

☐ Individual

☐ General partnership

☒ For-profit corporation

☐ Other

☐ Limited partnership

☐ Not-for-profit corporation

2. If the applicant is an unincorporated association or a legal entity other than an individual, partnership, or corporation, describe in an Exhibit the nature of the application.

Exhibit No.

NOTE: The terms "applicant," "parties to this application," and "non-party equity owners in the applicant" are defined in the instructions for Section II of this form. Complete information as to each "party to this application" and each "non-party equity owner in the applicant" is required. If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.

3. If the applicant is not an individual, provide the date and place of filing of the applicant's enabling charter (e.g., a limited partnership must identify its certificate of limited partnership and a corporation must identify its articles of incorporation by date and place of filing):

Date 12/12/95

Place Secretary of State, Des Moines, IA

In the event there is no requirement that the enabling charter be filed with the state, the applicant shall include the enabling charter in the applicant's public inspection file. If, in the case of a partnership, the enabling charter does not include the partnership agreement itself, the applicant shall include a copy of the agreement in the applicant's public inspection file.

4. Are there any documents, instruments, contracts or understandings (written or oral), other than instruments identified in response to Question 3 above, relating to future ownership interests in the applicant, including but not limited to, insulated limited partnership shares, nonvoting stock interests, beneficial stock ownership interests, options, rights of first refusal, or debentures?

☒ Yes ☐ No

If Yes, submit as an Exhibit all such written documents, instruments, contracts, or understandings, and provide the particulars of any oral agreement.

Exhibit No.  
1

5. Complete, if applicable, the following certifications:

(a) Applicant certifies that no limited partner will be involved in any material respect in the management or operation of the proposed station.

☐ Yes ☐ No

If No, applicant must complete Question 6 below with respect to all limited partners actively involved in the media activities of the partnership.

(b) Does any investment company (as defined in 15 U.S.C. Section 80 a-3), insurance company, or trust department of any bank have an aggregated holding of greater than 5% but less than 10% of the outstanding votes of the applicant?

☐ Yes ☒ No

If Yes, applicant certifies that the entity holding such interest exercises no influence or control over the applicant, directly or indirectly, and has no representatives among the officers and directors of the applicant.

☐ Yes ☐ No

Section II - LEGAL QUALIFICATIONS (Page 2)

6. List the applicant, parties to the application and non-party equity owners in the applicant. Use one column for each individual or entity. Attach additional pages if necessary.

(Read carefully - The numbered items below refer to line numbers in the following table.)

a. Name and residence of the applicant and, if applicable, its officers, directors, stockholders, or partners (if other than individual also show name, address and citizenship of natural person authorized to vote the stock). List the applicant first, officers next, then directors and, thereafter, remaining stockholders and partners.

b. Citizenship.

c. Office or directorship held.

d. Number of shares or nature of partnership interests.

e. Number of votes.

f. Percentage of votes.

NOTE: Radio Applicants ONLY: Radio applicants need not respond to subparts g and h of the table. Instead, proceed and respond to Questions 7, 8 and 9, Section II below.

g. Other existing attributable interests in any broadcast station, including the nature and size of such interests.

h. All other ownership interests of 5% or more (whether or not attributable), as well as any corporate officership or directorship, in broadcast, cable, or newspaper entities in the same market or with overlapping signals in the same broadcast service, as described in 47 C.F.R. Section 73.3555 and 73.501, including the nature and size of such interests and the positions held.

a.	Sharon A. Mayer R.R. 1, Box 169 Milford, IA 51351	*Campus Radio Company, Inc. Box 528 Spirit Lake, IA 51360	
b.	U.S.	--	
c.	Pres, Sec, Treas, Dir	--	
d.	51	49	
e.	51	49	
f.	51%	49%	
g.		*The other media interests of Campus Radio and its principals are set forth in Exhibit 2 here to.	
h.			

Section 11 - LEGAL QUALIFICATIONS (Page 3)

RADIO APPLICANTS ONLY NEED TO RESPOND TO QUESTIONS 7, 8 AND 9.

7. Does the applicant, or any party to the application, own, or have an attributable interest in: (a) any AM, FM or TV station; or (b) a daily newspaper in the same market(s) as the station(s) being proposed? ☐ Yes ☒ No

8. Does the applicant, or any party to the application, broker more than 15 percent of the broadcast hours per week of any AM or FM station in a market in which the applicant, or party to the application, has an attributable interest in any AM or FM station? See 47 C.F.R. Section 73.3555(a) for definition of "radio market." ☐ Yes ☒ No

If the answer to 7 or 8 is Yes, set forth in an Exhibit, name of party having interest; nature of the interest; call letters and location of stations involved; and identification of newspaper, where applicable.

Exhibit No.

9. Does the principal community service contour (predicted or measured 5 mV/m groundwave contour for AM; predicted 3.16 mV/m contour for FM) of any AM or FM station being proposed overlap the principal community service contour of:

(a) an AM or FM station which is directly or indirectly owned, operated or controlled by the applicant or any party to the application; or ☐ Yes ☒ No

(b) an AM or FM station at which more than 15 percent of the broadcast time per week is brokered by the applicant or any party to the application? ☐ Yes ☒ No

If the answer to (a) or (b) is Yes, do you certify that the ownership interests which will result from grant of the application(s) comply with 47 C.F.R. Section 73.3555(a), or that appropriate waivers of that section are herein sought? ☐ Yes ☐ No

If Yes, attach a separate Exhibit containing the market and audience information necessary to demonstrate compliance.

Exhibit No.

Note: With reference to the Radio Contour Overlap Rule of 47 C.F.R. Section 73.3555(a), the applicant's Exhibit must include: (i) a map that clearly identifies, by relevant contours, the location and geographic coverage of the market or markets involved; (ii) the number of commercial AM and FM stations counted as being in the market or markets, including a map that shows the principal community contours of the stations that define the market or markets and the principal community contours of all commercial stations intersecting with the principal community contours of these stations; (iii) for markets with 15 or more commercial radio stations, a combined audience share figure, the basis and/or source material for this figure, and the results and qualification of any commissioned audience survey or alternative showing used; and (iv) the call letters and locations of all stations in the market or markets that are, or are proposed to be, commonly owned, operated or controlled, including any AM or FM station in the market for which the applicant or any party to the application brokers more than 15 percent of that station's broadcast time per week.



Section 11 - LEGAL QUALIFICATIONS (Page 4)

10. Does the applicant, or any party to the application, have a petition to migrate to the expanded band (1605-1705 (kHz) or a permit or license either in the existing band or expanded band that is held in combination with the AM facility proposed to be modified herein?

☐ Yes ☒ No

If Yes, provide particulars as an Exhibit.

Exhibit No.

11. Does the applicant, any party to the application or any non-party equity owner in the applicant have, or have they had, any interest in:

(a) a broadcast station, or pending broadcast station application before the Commission?

☒ Yes ☐ No

(b) a broadcast application which has been dismissed with prejudice by the Commission?

☐ Yes ☒ No

(c) a broadcast application which has been denied by the Commission?

☐ Yes ☒ No

(d) a broadcast station, the license of which has been revoked?

☐ Yes ☒ No

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?

☐ Yes ☒ No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.  
2

(1) Name of party having interest;

(2) Nature of interest or connection, giving dates;

(3) Call letters of stations or file number of application or docket; and

(4) Location.

12. (a) Are any of the parties to the application or non-party equity owners in the applicant related (as husband, wife, father, mother, brother, sister, son or daughter) to each other?

☐ Yes ☒ No

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to the application or non-party equity owner in the applicant have any interest in or connection with any other broadcast station, pending broadcast application or newspaper in the same area (see Section 73.3555(c)) or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

☐ Yes ☒ No

If the answer to (a) or (b) above is Yes, attach an Exhibit giving full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.

13. State in an Exhibit any interest the applicant or any party to this application proposes to divest in the event of a grant of this application.

Exhibit No.

Section 11 - LEGAL QUALIFICATIONS (Page 5)

OTHER MASS MEDIA INTERESTS

14. (a) Do individuals or entities holding nonattributable interests of 5% or more in the applicant have an attributable ownership interest or corporate officership or directorship in a broadcast station, newspaper or CATV system in the same area? (See Instruction C to Section 11.)

☒ Yes ☐ No

- (b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of an individual holding a nonattributable interest of 5% or more in the applicant have any interest in or connection with any other broadcast station, pending broadcast application, newspaper in the same area (see Section 73.3555(c)), or, in the case of a television station applicant only, a cable television system in the same area (see Section 76.501(a))?

☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Exhibit No.  
2

CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS

15. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction D to Section 11.)

☐ Yes ☒ No

- (b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

☐ Yes ☒ No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.

16. (a) Has an adverse finding been made or an adverse final action been taken by any court or administrative body as to the applicant, any party to this application, or any non-party equity owner in the applicant in a civil or criminal proceeding brought under the provisions of any law related to the following:

Any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?

☐ Yes ☒ No

- (b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above?

☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach as an Exhibit a full disclosure of the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter.

Exhibit No.

**Exhibit 1**

Information concerning future ownership interests in the applicant, New Milford Broadcasters, Inc., are set forth in the **Stock Purchase, Financing and Option Agreement** submitted in conjunction with the Joint Request for Approval of Settlement Agreements in MM Docket No. 92-317.

**Exhibit 2**

**Other Media Interests**

Campus Radio Company, Inc. ("Campus"), a non-party equity owner in the applicant, holds a minority 49% interest in New Milford Broadcasters, Inc. The remaining 51% is held by a single majority shareholder, Sharon A. Mayer. Campus is the licensee of FM broadcast station KUOO, Spirit Lake, Iowa (see Section II, Question 11(a)). A detailed description of the other media interests of Campus and/or its principals (i.e., officers, corporate directors, limited liability company managers, and 5% or greater shareholders), including the attributable interest of Campus in Station KUOO, which operates in the same area as the proposed Milford station (see Section II, Question 14 (a)), follows:

**Licensee: Campus Radio Company, Inc.**

**Station, Location**

**Principals**

KUOO(FM), Spirit Lake, IA

Paul C. Hedberg, president, 51% shareholder, director  
Mark P. Hedberg, vice president, 25% shareholder, director  
Kelly McCarty, secretary/  
treasurer  
Ann Hedberg, director

**Licensee: Northwest Iowa Broadcasting Corp.**

<u>Station, Location</u>	<u>Principals</u>
KAYL-AM/FM, Storm Lake, IA	Mark P. Hedberg, president, 50% stockholder, director Paul C. Hedberg, vice president, 50% stockholder, director Kelly McCarty, treasurer Juliet A. Hedberg, secretary, director

**Licensee: Music Man Broadcasting, Inc.**

<u>Station, Location</u>	<u>Principals</u>
KRIB/KLSS-FM, Mason City, IA	Paul C. Hedberg, president, 70% shareholder, director Mark P. Hedberg, vice president, 30% shareholder, director Kelly McCarty, secretary/ treasurer

**Licensee: Kossuth County Broadcasting, L.C.**

<u>Station, Location</u>	<u>Principals</u>
KLGA-AM/FM, Algona, IA	Mark P. Hedberg, president, 95% shareholder, manager Paul C. Hedberg, vice president, 5% shareholder, manager Kelly J. McCarty, secretary/ treasurer

SHARON A. MAYER  
EXHIBIT NO. 2

AMENDMENT TO APPLICATION  
FOR CONSTRUCTION PERMIT

SHARON A. MAYER

MILFORD, IOWA

FM CHANNEL  
271C2

DECEMBER, 1995

© 1995

D.L. Markley &  
Associates, Inc.

## Consulting Engineers

OFFICIAL SEAL  
SHARON KAY DOTSON  
NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES 3-2-97



AMENDMENT TO APPLICATION FOR CONSTRUCTION PERMIT

The following engineering statement and attached exhibits have been prepared for Sharon A. Mayer and are in support of an amendment to an application for construction permit for Milford, Iowa (File No. BPH-911004MG).

This amendment seeks to modify the application for construction permit by changing the tower location, the antenna supporting structure height, the antenna height above average terrain, and by changing from a non-directional to a directional transmitting antenna. This amendment is in response to significant community concern regarding the construction of an additional tower. In an effort to cooperate with area leaders who wish to minimize the number of structures, the proponent seeks to locate the proposed facility on a tower currently occupied by FM broadcast station KU00. By so doing, there will be no need for an additional structure thereby minimizing the impact upon the scenic character of the area and minimizing any aeronautical impact.

As shown on the attached study, the proposed facility would be short spaced to KEEY-FM at St. Paul, Minnesota by 7.7 kilometers. In accordance with Section 73.215

- 2 -

of the Rules and Regulations, the proponent proposes to install a directional transmitting antenna such that there will be no overlap between the contours for the proposed facility and the contours of KEEY-FM if that station were to increase its facilities to the maximum permissible for a Class C station. All of the necessary antenna data is contained in Exhibit E-3.

No new authorization has been sought from the FAA as there is no change to the height or location of the existing tower. The original No Hazard Determination for the structure is attached as an exhibit for the Commission's information.

<b>Section V-B - FM BROADCAST ENGINEERING DATA</b>	<b>FOR COMMISSION USE ONLY</b> File No. _____ ASB Referral Date _____ Referred by _____
--	--

Name of Applicant

Sharon A. Mayer

Call letters (if issued)	Is this application being filed in response to a window? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, specify closing date: _____
--------------------------	--

Purpose of Application: (check appropriate boxes)

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Construct a new (main) facility            | <input type="checkbox"/> Construct a new auxiliary facility                         |
| <input type="checkbox"/> Modify existing construction permit for main facility | <input type="checkbox"/> Modify existing construction permit for auxiliary facility |
| <input type="checkbox"/> Modify licensed main facility                         | <input type="checkbox"/> Modify licensed auxiliary facility                         |

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

- |   |  |
|---|--|
| <input type="checkbox"/> Antenna supporting-structure height  | <input type="checkbox"/> Effective radiated power  |
| <input type="checkbox"/> Antenna height above average terrain | <input type="checkbox"/> Frequency                 |
| <input type="checkbox"/> Antenna location                     | <input type="checkbox"/> Class                     |
| <input type="checkbox"/> Main Studio location                 | <input type="checkbox"/> Other (Summarize briefly) |

Amendment to Application for Construction Permit

File Number(s) BPH-911004MG

1. Allocation:

Channel No.	Principal community to be served:			Class (check only one box below)
	City	County	State	
271	Milford	Dickinson	IA	<input type="checkbox"/> A <input type="checkbox"/> B1 <input type="checkbox"/> B <input type="checkbox"/> C3 <input checked="" type="checkbox"/> C2 <input type="checkbox"/> C1 <input type="checkbox"/> C

2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.

R.R. 6781, Spirit Lake, Dickinson County, Iowa

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude      °      '      " <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <span>43</span> <span>24</span> <span>20</span> </div>	Longitude      °      '      " <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <span>95</span> <span>05</span> <span>01</span> </div>
---	--

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☒ Yes ☐ No

If Yes, give call letter(s) or file number(s) or both. KUOO(FM), BLH-900927KA

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.

DNA

## SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 2)

Does the application propose to correct previous site coordinates?  
If Yes, list old coordinates.

☐ Yes ☒ No

Latitude                    °                    '                    "	Longitude                    °                    '                    "
---	--

Has the FAA been notified of the proposed construction?

☐ Yes ☒ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available. No change in structure. Copy of original No Hazard Determination attached

Exhibit No. E-1
--------------------

Date \_\_\_\_\_ Office where filed \_\_\_\_\_

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

Landing Area	Distance (km)	Bearing (degrees True)
(a) <u>Spirit Lake Municipal</u>	<u>4.8</u>	<u>254° T.</u>
(b) _____	_____	_____

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level; 439 meters

(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 166 meters

(3) of the top of supporting structure above mean sea level [(a)(1) + (a)(2)] 605 meters

(b) Height of radiation center: (to the nearest meter) H - Horizontal; V - Vertical

(1) above ground 133 meters (H)

133 meters (V)

(2) above mean sea level [(a)(1) + (b)(1)] 572 meters (H)

572 meters (V)

(3) above average terrain 128 meters (H)

128 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No. E-2
--------------------

9. Effective Radiated Power:

(a) ERP in the horizontal plane

50 kw (H=) 50 kw (V=)

(b) Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

Exhibit No. DNA
--------------------

\_\_\_\_\_ kw (H=) \_\_\_\_\_ kw (V=)

-Polarization

SECTION V-8 - FM BROADCAST ENGINEERING DATA (Page 3)

10. Is a directional antenna proposed?

☒ Yes ☐ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s) and tabulations of the relative field.

Exhibit No.  
E-3

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.315(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 3.16 mV/m service.

Exhibit No.  
DNA

12. Will the main studio be within the protected 3.16 mV/m field strength contour of this proposal?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.  
DNA

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207?

☐ Yes ☒ No

(b) If the answer to (a) is No, does 47 C.F.R. Section 73.213 apply?

☐ Yes ☒ No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Exhibit No.  
DNA

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.  
E-4

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.  
E-4

- (1) Protected and interfering contours, in all directions (360 ), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibit(s).

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast (except citizens band or amateur) radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☒ Yes ☐ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(e) and 73.318.)

Exhibit No.  
E-5

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 4)

15. Attach as an Exhibit a 75 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V (D). The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.  
E-6

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
E-7

(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;

(b) the 316 mV/m and 1 mV/m predicted contours; and

(c) the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 259 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 7355.445 sq. km.

Population 79,472

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
DNA

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R. Section 73.313)*

Source of terrain data: *(check only one box below)*

☒ Linearly interpolated 30-second database

☐ 75 minute topographic map

(Source: NGDC)

☐ Other *(briefly summarize)*

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 5)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 3 to 16 km (meters)	Predicted Distances	
		To the 316 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
* 212.5	139.0	31.6	50.8
0	141.4	31.8	51.0
45	125.2	25.9	42.6
90	117.0	29.3	47.5
135	122.8	29.9	48.4
180	116.2	29.2	47.4
225	139.5	31.6	50.8
270	133.5	31.0	50.0
315	128.0	30.5	49.2

\*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

20. Environmental Statement (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact? ☐ Yes ☒ No

If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No.  
DNA

If No, explain briefly why not. Complies fully with ANSI C95.1-1982 and IEEE C95.1-1991. See attached ANSI study.

CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed)	Relationship to Applicant (e.g., Consulting Engineer)
Donald L. Markley	Consulting Engineer
Signature	Address (Include ZIP Code) D.L. Markley & Associates, Inc. 2104 West Moss Avenue West Peoria, Illinois 61604
Date Jul 22, 1995	Telephone No. (Include Area Code) (309) 673-7511



US Department  
of Transportation  
  
Federal Aviation  
Administration

Exhibit No: E-1
Title: Determination of No Hazard
City: Milford, Iowa
Applicant: Sharon A. Mayer
Date: December, 1995
D. L. Markley & Associates, Inc.

IN REPLY REFER TO  
AERONAUTICAL STUDY  
NO. 89-ACE-0615-02

## DETERMINATION OF NO HAZARD TO AIR NAVIGATION

SPONSOR	Paul Hedberg Campus Radio Company P.O. Box 528 Spirit Lake, IA 51360	CONSTRUCTION LOCATION	
		PLACE NAME	
		Spirit Lake, IA	
		LATITUDE	LONGITUDE
		43°23'47"	95°05'25"
CONSTRUCTION PROPOSED	DESCRIPTION FM Antenna Freq: 103.9 MHz ERP: 50 kW	HEIGHT (IN FEET)	
		ABOVE GROUND	ABOVE MSL
		545 ft.	1985 ft.

An aeronautical study of the proposed construction described above has been completed under the provisions of Part 77 of the Federal Aviation Regulations. Based on the study it is found that the construction would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the construction would not be a hazard to air navigation provided the following conditions are met:

Conditions: The obstruction be appropriately marked and lighted in accordance with FAA Advisory Circular 70/7460-1G, "Obstruction Marking and Lighting," Chapters 3, 4, 5, and 9.

Supplemental notice of construction is required any time the project is abandoned (use the enclosed FAA form), or

- ☒ At least 48 hours before the start of construction (use the enclosed FAA form).
- ☒ Within five days after the construction reaches its greatest height (use the enclosed FAA form).

This determination expires on August 12, 1990

unless:

- (a) extended, revised or terminated by the issuing office;
- (b) the construction is subject to the licensing authority of the Federal Communications Commission and an application for a construction permit is made to the FCC on or before the above expiration date. In such case the determination expires on the date prescribed by the FCC for completion of construction, or on the date the FCC denies the application.

NOTE: Request for extension of the effective period of this determination must be postmarked or delivered to the issuing office at least 15 days prior to the expiration date.

This determination is subject to review if an interested party files a petition on or before February 2, 1990. In the event a petition for review is filed, it should be submitted in triplicate to the Manager, Flight Information and Obstructions Branch, AAT-210, Federal Aviation Administration, Washington, D.C. 20591, and contain a full statement of the basis upon which it is made.

This determination becomes final on February 12, 1990 unless a petition for review is timely filed, in which case the determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review.

An account of the study findings, aeronautical objections, if any, registered with the FAA during the study, and the basis for the FAA's decision in this matter will be found on the following page(s).

If the structure is subject to the licensing authority of the FCC, a copy of this determination will be sent to that Agency.

This determination, issued in accordance with FAA Part 77, concerns the effect of this proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

SIGNED

Lewis G. Earp

TITLE

Airspace Specialist

ISSUED IN

Kansas City, MO

ON

January 3, 1990





U.S. Department  
of Transportation  
  
Federal Aviation  
Administration

Central Region  
Iowa, Kansas,  
Missouri, Nebraska

601 E. 12th Street  
Kansas City, Missouri 64106

MAR 23 1990

Campus Radio Company  
ATTN: Paul Hedberg  
P.O. Box 528  
Spirit Lake, IA 51360

Dear Mr. Hedberg:

This is in response to your letter dated March 7, 1990, requesting a correction of your tower coordinates as follows:

Aeronautical Study No. 89-ACE-0615-OE

Location: Spirit Lake, Iowa  
Latitude: 43°23'47", corrected to 43°24'20"  
Longitude: 95°05'25", corrected to 95°05'01"  
Height AGL: 545 ft.  
Height AMSL: 1,985 ft.

If you have any questions, feel free to contact me at (816) 426-3408. A copy of this letter will be sent to the Federal Communications Commissions (FCC), so they may correct their records for the above mentioned aeronautical study.

Sincerely,

*Kathy J. Randolph*  
Kathy J. Randolph  
Airspace Technician